

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LUIS VEGA,

Plaintiff,

No. CIV S-02-1977 MCE KJM P

vs.

EDWARD S. ALAMEIDA, JR. et al.,

Defendants.

ORDER

_____/

Plaintiff has requested the appointment of counsel. The United States Supreme Court has ruled that district courts lack authority to require counsel to represent indigent prisoners in § 1983 cases. Mallard v. United States Dist. Court, 490 U.S. 296, 298 (1989). In certain exceptional circumstances, the court may request the voluntary assistance of counsel pursuant to 28 U.S.C. § 1915(e)(1). Terrell v. Brewer, 935 F.2d 1015, 1017 (9th Cir. 1991); Wood v. Housewright, 900 F.2d 1332, 1335-36 (9th Cir. 1990). In the present case, the court does not find the required exceptional circumstances. Plaintiff's request for the appointment of counsel will therefore be denied.

Also, plaintiff has filed a copy of a request for production of documents directed to the Attorney General. Plaintiff is informed that court permission is not necessary for discovery requests and that neither discovery requests served on an opposing party nor that

1 party's responses should be filed until such time as a party becomes dissatisfied with a response
2 and seeks relief from the court pursuant to the Federal Rules of Civil Procedure. Discovery
3 requests between the parties shall not be filed with the court unless, and until, they are at issue.
4 Plaintiff's January 20, 2006 request for production of documents will be placed in the court's file
5 and disregarded.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. Plaintiff's January 20, 2006 request for the appointment of counsel is denied;
8 and

9 2. Plaintiff's January 20, 2006 request for production of documents shall be
10 placed in the court's file and disregarded.

11 DATED: April 13, 2006.

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14 UNITED STATES MAGISTRATE JUDGE
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